

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-13 and 58-60 are presently active in this case, Claims 1, 4, and 10-12 having been amended and Claims 58-60 having been added by way of the present Amendment.

Claims 2-10 were indicated as being allowed. Claims 4 and 10 were amended to correct minor typographical informalities. Claim 10 was amended to make the minor change suggested on page 3 of the Official Action. Claims 4 and 10 are believed to be in condition for allowance. Additionally, Claims 11 and 12 were indicated as being allowable if rewritten in independent form. Claims 11 and 12 have been rewritten in independent form including all of the limitations of base Claim 1, and therefore Claims 11 and 12 are believed to be in condition for allowance.

In the outstanding Official Action, the specification was objected to for minor informalities. Accordingly, pages 2-24 of the specification have been amended to remove the references to the claims. The Applicants therefore request the withdrawal of the objection to the specification.

Claims 1 and 13 were rejected under 35 U.S.C. 102(b) as being anticipated by either Newman (U.S. Patent No. 5,249,082) or Kosaka et al. (U.S. Patent No. 6,005,723). Claims 1 and 13 were rejected under 35 U.S.C. 102(e) as being anticipated by either '603 Nemoto et al. (U.S. Patent No. 6,363,603 B1) or '864 Nemoto et al. (U.S. Patent No. 6,625,864 B2). For the reasons discussed below, the Applicants request the withdrawal of the anticipation rejections.

In the Office Action, the Newman, Kosaka et al., '603 Nemoto et al., and '864 Nemoto et al. references are indicated as anticipating Claim 1. However, the Applicants note

that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, these references clearly do not meet each and every limitation of the independent Claim 1.

Claim 1 of the present application recites a method for manufacturing a composite optical component comprising steps of holding an elongated, thin-walled functional device by a holding member to be formed into a composite body, and sandwiching the functional device by the holding member to form the composite body, wherein the functional device remains straight in changing environmental temperatures. The Applicants submit that the cited references do not teach all of the limitations recited in Claim 1.

For example, the Newman reference does not teach an elongated, thin-walled functional device, as recited in Claim 1. The Official Action cites feature 120 (presumably, lens 102) for the teaching of the functional device of Claim 1. However, as is clearly evident from a review of Figure 6 of the Newman reference, the lens 102 and feature 120 have a circular configuration. Accordingly, the Applicants submit that the lens 102 and feature 120 of the Newman reference clearly do not anticipate the elongated, thin-walled functional device, as recited in amended Claim 1 of the present application. Therefore, the Applicants request the withdrawal of the anticipation rejection of Claim 1 based on the Newman reference.

The Kosaka et al. reference does not teach an elongated, thin-walled functional device, as recited in Claim 1. The Official Action cites frame 60 and lens 70 for the teaching of the functional device of Claim 1. However, as is clearly evident from a review of Figure 1 of the Kosaka et al. reference, the frame 60 and lens 70 have a circular configuration.

Accordingly, the Applicants submit that the frame 60 and the lens 70 of the Kosaka et al. reference clearly do not anticipate the elongated, thin-walled functional device, as recited in amended Claim 1 of the present application. Therefore, the Applicants request the withdrawal of the anticipation rejection of Claim 1 based on the Kosaka et al. reference.

The Official Action cites lens plates 56 and 57 of the '603 Nemoto et al. reference and the '864 Nemoto et al. reference for the teaching of the functional device of Claim 1 of the present application. Additionally, the Official Action cites iron clips 80 for the teaching of the holding member of Claim 1. Firstly, the Applicants submit that the '603 Nemoto et al. reference and the '864 Nemoto et al. reference do not teach an elongated, thin-walled functional device as recited in Claim 1, since the lens plates 56 and 57 are not elongated. To the contrary, the lens plates 56 and 57 are rectangular in shape as depicted in Figure 7 rather than being thin and elongated, as recited in Claim 1. Furthermore, the '603 Nemoto et al. reference and the '864 Nemoto et al. reference do not teach a method for manufacturing a composite optical component wherein the functional device remains straight in changing environmental temperatures. The '603 Nemoto et al. reference and the '864 Nemoto et al. reference teach a configuration in which clips 80 are used at clipping portions 58 (see Figure 7, whereby the clipping portions are only provided at distantly spaced locations about the perimeter of the plates 56 and 57. Accordingly, the vast spaces in between the clips 80 will provide ample opportunity for the plates 56 and 57 to deform as the temperature changes in the surrounding environment. Accordingly, the Applicants request the withdrawal of the anticipation rejection of Claim 1 based on the '603 Nemoto et al. reference and the '864 Nemoto et al. reference.

Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejections of Claim 1.

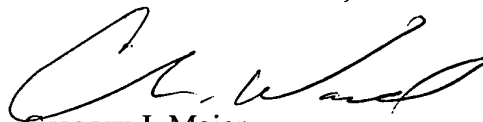
Application Serial No.: 10/050,117
Reply to Office Action dated December 5, 2003

Claims 13 and 58-60 are considered allowable for the reasons advanced for Claim 1 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 1. Support for newly added Claims 58 and 59 can be found in the specification, for example, on page 2, lines 2-4. Support for newly added Claim 60 can be found at least in the figures of the present application.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Attorney of Record

Christopher D. Ward
Registration No. 41,367

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)

GJM:CDW:brf
I:\atty\cdw\218235US3\am2.doc